Case 08-33223 Doc 1 Filed 12/04/08 Entered 12/04/08 15:48:35 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 44

#### United States Bankruptcy Court Northern District of Illinois Eastern Division

**Voluntary Petition** 

Name of Debtor (				Name of Joint Debtor (Spouse) (Last, First, Middle)											
	Lucas	s, Win	ford D	)elano				Luc	as, Ter	esa					
All Other Names and trade names		e Debtor in the	e last 8 years	(include mai	ried, maider	maide	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):  FKA Teresa Arreguin								
Last four digits of (if more than one,	Soc. Sec. o , state all) *	or Individual-Ta	axpayer I.D. 2730	(ITIN) No./Co	omplete EIN		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-5122								
Street Address of	f Debtor (No	o. & Street, Ci	ty, and State	e):		Street	Street Address of Joint Debtor (No. & Street, City, and State):								
3109 W D	iverse	У				_   310	3109 W Diversey								
Chicago	IL			6	0647	_   Chi	Chicago IL 60647								
County of Reside	ence or of th	e Principal Pla	ace of Busin	ess:		County	of Residence	or of the Prince	cipal Place of E	Business:					
		CO	OK						соок						
						Mailing	Addross of Io			treet address):					
Mailing Address	of Debtor (If	different from	i street addre	ess)		Mailing	Address of Jo	init Debtor (ii t	amerent nom s	illeet address).					
Location of Princi	ipal Assets	of Business D	ebtor (if diffe	erent from stre	eet address	above):									
Type of Debtor (Form of Organization) (Check one box)  Nature of Business (Check one box.)							ter of Bankru	ptcy Code Un	der Which th	e Petition is Filed (Check one box)					
■ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form  Single Asset Real Estate as						napter 7			15 Petition for Recognition						
Groomation (includes LLC & LLP) defined in 11 U.S.C §101 (51B)					.	napter 9 napter 11		of a Fore	ign Main Proceeding						
□ Railroad □ Partnership □ Stockbroker						☐ Ch	napter 12		•	15 Petition for Recognition					
_	•	t one of the		nodity Broker		□ Cr	napter 13			eign Nonmain Proceeding					
above en	ntities, check	this box	☐ Cleari	-				Nature o	f Debts (Check	( one Box)					
and state	type of ent	ity below.)	Other		Entity		■ Debts are primarily consumer debts, defined in 11 U.S.C. Debts are primarily business debts.								
			(C	Fax-Exempt heck box, if ap	olicable.)	§ ^	§ 101(8) as "incurred by an								
				r is a tax-exe ization under	•	I	individual primarily for a personal, family, or household								
				d States Code nue Code).	e (the Interna	al pu	rpose."								
		Filing Fee (C	•	ide Gode).			Chapter 11 Debtors								
■ Filing Fee atta		<b>g</b> . <b></b> (e.					Check one box ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D)								
☐ Filing Fee to be signed application						CHECK		ate noncontino	nent liquidated	dehts (excluding dehts owed to					
unable to pay	fee except	in installments	s. Rule 1006	(b). See Office	ial Form 3A	<u>in</u>	Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.								
☐ Filing Fee wa						Δ	Check all applicable boxes:  A plan is being filed with this petition.								
attach signed	application	for the court's	s considerati	on. See Offic	iai Form 3B.	_ A	Acceptances of the plan were solicited prepetition from one of more classes								
Statistical/Adm										This space is for court use only					
<ul> <li>Debtor estimates that funds will be available for distribution to unsecured credit</li> <li>Debtor estimates that, after any exempt property is excluded and administrative funds available for distribution to unsecured creditors.</li> </ul>							s paid, there w	vill be no							
Estimated Number	r of Creditors	; 													
1- 49	50- 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001 25,000	25,001 50,000	50,001 100,000	Over 100,000						
Estimated Assets	99			5,000			50,000		□						
\$0 to	\$50,001to	\$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	More than						
\$50,000	\$100,000	\$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion						
Estimated Liabilitie		\$100,001 to	© \$500,001	\$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001	☐ More than						
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1billion	\$1 billion						

B1 (Official Forn	n 1) (1/08) Document	Page 2 of 44	
	Voluntary Petition	Name of Debtor(s)	
This	page must be completed and filed in every case)		Winford Delano
		Te	eresa Lucas
	All Prior Bankruptcy Case Filed Within Last 8 Y	ears (if more than two, attach additio	nal sheet)
Location Where File		Case Number:	Date Filed:
None			
None			
	Pending Bankruptcy Case Filed by any Spouse, Partner, or A	ffilate of this Debtor (if more than one,	attach additional sheet)
Name of Debtor:		Case Number:	Date Filed:
None			
District:		Relationship:	Judge:
	Exhibit A	F	chibit B
(To be comple	eted if debtor is required to file periodic reports (e.g.,	<u> </u>	dual whose debts are primarily consumer debts.)
,	1 10Q) with the Securities and Exchange Commission	I, the attorney for the petitioner named	
pursuant to Se	ection 13 or 15 (d) of the Securities Exchange Act of	<b>■</b>	she] may proceed under chapter 7, 11, 12 and have explained the relief available under
1934 and is re	questing relief under chapter 11.)	1	I have delivered to the debtor the notice
		required by 11 USC § 342(b).	
☐ Exhibit A	A is attached and made a part of this petition.	/s/ David	D Lugardo
			Dated: 12/03/2008
		David D Lugardo	Dated. 12/03/2000
	Exh	bit C	
Does the deb	tor own or have possession of any property that poses or is alleg	ed to pose a threat of imminent and ident	tifiable harm to public health or safety?
Yes, an	d Exhibit C is attached and made a part of this petition.		
No.			
/ <del>-</del>		ibit D	oh a agnerate Fyhibit D )
_	To be completed by every individual debtor. If a joint petition is file		cri a separate Exhibit D.)
<del></del>	O completed and signed by the debtor is attached and made a par	t of this petition.	
	joint petition: ) also completed and signed by the joint debtor is attached and m	ade a part of this petition	
	- and completion and orginal by the joint about to attached and in		
	Information Regardi	ng the Debtor - Venue	
_	•	oplicable Box.)	
	Debtor has been domiciled or has had a residence, prin		-
	immediately preceding the date of this petition or for a lo	inger part of such 180 days than in a	any other District.
	There is a bankruptcy case concerning debtor's affiliate	general partner, or partnership per	ding in this District.
	Debtor is a debtor in a foreign proceeding and has its pr	incipal place of business or principa	al assets in the United
	States in this District, or has no principal place of busine	ess or assets in the United States bu	it is a defendant in an action
	or proceeding [in a federal or state court] in this District,	or the interests of the parties will be	e served in regard to the
	relief sought in this District.		
	Certification by a Debtor Who Reside		al Property
		olicable boxes.)	and an annual state than
	Landlord has a judgment against the debtor for possess following.)	ion of debtor's residence. (If box ch	ecked, complete the
	(Name of landlord that obtained judgmen	1)	
	(Address of Landlord)	-	
	Debtor claims that under applicable nonbankruptcy law,	there are circumstances under whic	ch the debtor would be
_	permitted to cure the entire monetary default that gave r		
	possession was entered, and	•	
	Debtor has included in this petition the deposit with the	court of any rent that would become	due during the 30-day
	period after the filing of the petition.		
	Debtor certifies that he/she has served the Landlord with	n this certification. (11 U.S.C. § 362(	1))

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#### **Voluntary Petition**

This page must be completed and filed in every case)

#### Name of Joint Debtor(s)

Lucas, Winford Delano **Teresa Lucas** 

#### **Signatures**

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### /s/ Winford Delano Lucas Winford Delano Lucas

Dated:

/s/ Teresa Lucas

Teresa Lucas

Dated: 11/18/2008

11/18/2008

#### Signature of Attorney

#### /s/ David D Lugardo

Signature of Attorney for Debtor(s)

#### David D Lugardo

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

> 12/03/2008 Date:

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only one box.)

 $\ \square$  I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

#### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal. responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



<sup>\*</sup> In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule

# Document Page 4 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of

the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone.

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 11/18/2008

does not apply in this district.

/s/ Winford Delano Lucas
Winford Delano Lucas

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)



Sign & Date Here

#### Page 5 of 44 Document UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

#### **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH** CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

	1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
	2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
	3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]
	If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
	4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
	Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
	Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
	Active military duty in a military combat zone.
	5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
Lco	ertify under negalty of perjury that the information provided above is true and correct

/s/ Teresa Lucas Sign & Date Dated: 11/18/2008 Here Teresa Lucas

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

Attorney for Debtor: David D Lugardo

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

## The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: For legal services, Debtor(s) agrees to pay and I have agreed to accept

Prior to the filing of this Statement, Debtor(s) has paid and I have received

\$2,500

Bar No: 6256311

\$2,500

The Filing Fee has been paid.

Balance Due \$0

2. The source of the compensation paid to me was:

Debtor(s)

Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s)

Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.
- **6.** By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 12/03/2008 /s/ David D Lugardo

Attorney Name: David D Lugardo
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

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# Document Page 7 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim		
[x] None						
	Value of Real Pi t also on Summary of So		1	<u>'</u>		

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property		Description and Location of Property	H W J C	Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking account with Chase	J	\$	14
03. Security Deposits with public utilities, telephone companies, landlords and others.		Security Deposit with landlord Benny Sanchez	J	\$	0
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; 3 TV, DVD player, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, 3 bedroom sets, pots/pans, dishes/flatware, small appliances, computer	J	\$	2,500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, DVDs	J	\$	50
06. Wearing Apparel		Necessary wearing apparel.	J	\$	100
07. Furs and jewelry.		Wedding rings, earrings, watch, costume jewelry	J	\$	200
08. Firearms and sports, photographic, and other hobby equipment.	X				

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Description and Location of Property	H W J C	Debtor's Proper Dedu	t Value of s Interest in try, Without cting Any d Claim or
K) w/ Employer/Former Employer - 100% Exempt.		\$	5,040
K) w/ Employer/Former Employer - 100% Exempt.	н	\$	5,040
K) w/ Employer/Former Employer - 100% Exempt.	Н	\$	5,040
K) w/ Employer/Former Employer - 100% Exempt.	Н	\$	5,040

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

SCHEDULE B - PERSONAL PROPERTY										
Type of Property	N O N E	Description and Location of Property	H M l C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or						
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X									
25. Autos, Truck, Trailers and other vehicles and accessories.										
		Wells Fargo - 1999 Chevy Astro Minivan 125,000 miles	J	\$ 970						
		1999 VW Beetle with 80K miles	W	\$ 3,625						
26. Boats, motors and accessories.	X									
27. Aircraft and accessories.	X									
28. Office equipment, furnishings, and supplies.	X									
29. Machinery, fixtures, equipment, and supplie used in business.	X									
30. Inventory	X									
31. Animals	X									
32. Crops-Growing or Harvested. Give particulars.	X									
33. Farming equipment and implements.	X									
34. Farm supplies, chemicals, and feed.	X									
35. Other personal property of any kind not already listed. Itemize.	X									
		Total (Report also on Summary of Schedules)		\$12,499						

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Winford Delano Lucas and Teresa Lucas, Debtors

SCHEDULE C - PROPERTY	CL/	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.			
Checking account with Chase	735 ILCS 5/12-1001(b)	\$ 14	\$ 14
04. Household goods and furnishings, including audio, video, and computer equipment.			
Household goods; 3 TV, DVD player, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, 3 bedroom sets, pots/pans, dishes/flatware, small appliances, computer	735 ILCS 5/12-1001(b)	\$ 2,500	\$ 2,500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.			
Books, Compact Discs, DVDs	735 ILCS 5/12-1001(a)	\$ 50	\$ 50
06. Wearing Apparel			
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry.  Wedding rings, earrings, watch, costume jewelry	735 ILCS 5/12-1001(a),(e)	\$ 200	\$ 200
vecturing rings, earnings, watch, costume jeweny			Ψ 200
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.			
Term Life Insurance - No Cash Surrender Value.	735 ILCS 5/12-1001(f)	\$ 0	\$ 0
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars			
401(K) w/ Employer/Former Employer - 100% Exempt.	735 ILCS 5/12-1006	\$ 5,040	\$ 5,040
25. Autos, Truck, Trailers and other vehicles and accessories.			
Wells Fargo - 1999 Chevy Astro Minivan 125,000 miles	735 ILCS 5/12-1001(b)	\$ 970	\$ 970
DEC Docord # 350560	BEC (Office	ial Form 6C\ (12/	07) Page 1 of 2

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo			
SCHEDULE C - PROPE	RTY CLAIMED EXEM	MPT	
Debtor claims the exemptions to which debtor is entitled u (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	nder: Check if debtor of that exceeds \$13	stead exemption	
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
1999 VW Beetle with 80K miles	735 ILCS 5/12-1001(c)	\$ 4,800	\$ 3,625

B6C (Official Form 6C) (12/07) Page 2 of 2 PFG Record # 359560

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D. Amount of \* Date Claim was Incured Codebtor Claim Unsecured \* Nature of Lien W **Creditor's Name and Mailing Address** Without Portion, If \*Value of Property Subject to Lien J Deducting **Including Zip and Account Number** Any \*Description of Property (See Instructions Above) C Value of Dates: 2005 Wells Fargo 1,000 \$ 30 Nature of Lien: Lien on Vehicle - PMSI **Bankruptcy Department** Market Value: \$ 970 PO Box 29704 Intention: Reaffirm 524 (c) Phoenix AZ 85038 \*Description: Wells Fargo - 1999 Chevy Acct No.: 50231580285229001 Astro Minivan 125,000 miles

Total

\$ 1,000

\$ 30

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# Document Page 14 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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#### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

	Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incured and Consideration For Claim	Contingent	Unliquidated	Disputed	ount Claim	En	ount titled to ority
1	Elisa Deleon Attn: Bankruptcy Dept. 4031 N. Hamlin Chicago IL 60618 Account No.		Н	Reason: Child Support  Dates: 2008				\$ 325	\$	325
2	Carmen Torres Attn: Bankruptcy Dept. 310 Parksprings Circle Plant City FL 33560  Account No.		Н	Reason: Child Support  Dates: 2008				\$ 225	\$	225

Total Amount of Unsecured Priority Claims (Report also on Summary of Schedules)

\$ 550 \$ 550

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas / Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H & J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1 Advocate IL Masonic Phys. Grp. Bankruptcy Department 75 Remittance Dr., Ste. 6994 Chicago IL 60675 Acct #: 712522879		J	Dates: 2008 Reason: Medical/Dental Services				\$ 200
2 Advocate IL Masonic Phys. Grp. Bankruptcy Department 75 Remittance Dr., Ste. 6994 Chicago IL 60675 Acct #: 711355479		J	Dates: 2008 Reason: Medical/Dental Services				\$ 1,900

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Harris & Harris, Ltd. Bankruptcy Department 600 W. Jackson Blvd., #400 Chicago IL 60661-5636

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Record # 359560

Winford Delano Lucas and Teresa Lucas / Debtors

	SCHEDULE F - CREDITORS	3 H	OL	DING UNSECURED NON-PR	10	RI	ΓΥ	CLAIMS
Cı	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
3	Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: XXXXX2730			Dates: 2002-2008 Reason: Credit Card or Credit Use				\$ 2,519
4	Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: XXXXX2730		J	Dates: 2000-2008 Reason: Credit Card or Credit Use				\$ 20,195
5	Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: XXXXX5122			Dates: 2005-2008 Reason: Credit Card or Credit Use				\$ 814
6	Cavalry Portfolio Services Bankruptcy Department PO Box 1017 Hawthorne NY 10532 Acct #: 04251089		w	Dates: 2006 Reason: Debt Owed				\$ 800
7	CB USA INC Attn: Bankruptcy Dept. 5252 S Hohman Ave Hammond IN 46320 Acct #: 724344			Dates: 2002-2002 Reason: Medical Debt				\$ 111
8	CIT BANK/DFS Attn: Bankruptcy Dept. 12234 N Ih 35 Sb Bldg B Austin TX 78753 Acct #: XXXXX2730			Dates: 2004-2008 Reason: Credit Card or Credit Use				\$ 1,545
9	Citifinancial Retail S Attn: Bankruptcy Dept. Po Box 22066 Tempe AZ 85285 Acct #: 6032-5904-0332-8890		Н	Dates: 2006-2008 Reason: Credit Card or Credit Use				\$ 2,200

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas / Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 unt of aim
10 City of Chicago Bureau Parking Bankruptcy Department 333 S. State St., Rm. 540 Chicago IL 60604		J	Dates: 2008 Reason: Fines				\$ 300
Acct #: 5661785							

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Arnold Scott Harris PC Bankruptcy Department 600 W. Jackson Blvd., Ste. 720 Chicago IL 60661

11 Clinial Neurosciences Attn: Bankruptcy Dept. 8 South Michigan Chicago IL 60603 Acct #: 5122	W Date: Reas	on: Credit Extended to Debtor(s)	\$ 400
12 Clinical Neurosciences, SC Attn: Bankruptcy Dept. 8 South Michigan Ave Chicago IL 60603 Acct #: 001-39497	H Date:	s: 2008 on: Debt Owed	\$ 350
Attn: Bankruptcy Dept. Bill Payment Center Chicago IL 60668 Acct #: 414407004200000000	H Date Reas	s: 2007 on: Utility Bills/Cellular Service	\$ 1,000
14 Comcast  Bankruptcy Department 1255 W. North Ave. Chicago IL 60622  Acct #: 8798300057854278	J Date:	s: 2008 on: Cable Bill	\$ 4,500

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas / Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
15 Creditors Discount & A  Attn: Bankruptcy Dept.  415 E Main St  Streator IL 61364  Acct #: 989207989207			Dates: 2003-2003 Reason: Medical Debt				\$ 220
16 <u>Dell Financial Services</u> Bankruptcy Department 12334 N IH 35  Austin TX 78753		J	Dates: 2008 Reason: Debt Owed				\$ 2,300
Acct #: 6879450119014821650							

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

IC Systems Inc. Bankruptcy Department 444 Highway 96E Saint Paul MN 55127

Record # 359560

_			
Н	Dates: 2007 Reason: Credit Card or Credit Use	\$	1,100
	Dates: 2008 Reason: Medical Debt	\$	125
		Reason: Credit Card or Credit Use  Dates: 2008	Reason: Credit Card or Credit Use \$  Dates: 2008

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Record # 359560

Winford Delano Lucas and Teresa Lucas / Debtors

SCHEDULE F - CREDITORS				1	च		
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidate	Disputed	ount of laim
O Illinois Collection SE Attn: Bankruptcy Dept. 8231 185Th St Ste 100 Tinley Park IL 60487 Acct #: 10335321			Dates: 2008-2008 Reason: Medical Debt				\$ 75
1 Illinois Collection SE Attn: Bankruptcy Dept. 8231 185Th St Ste 100 Tinley Park IL 60487 Acct #: 10463474			Dates: 2008-2008 Reason: Medical Debt				\$ 75
2 Illinois Collection SE Attn: Bankruptcy Dept. 8231 185Th St Ste 100 Tinley Park IL 60487 Acct #: 9090611			Dates: 2006-2007 Reason: Medical Debt				\$ 100
3 Illinois Collection SE Attn: Bankruptcy Dept. 8231 185Th St Ste 100 Tinley Park IL 60487 Acct #: 9772168		J	Dates: 2007-2007 Reason: Medical Debt				\$ 200
Attn: Bankruptcy Dept. 7400 N Shadeland Ave Ste Indianapolis IN 46250  Acct #: I200VER2014716616		J	Dates: 2008 Reason: Medical Debt				\$ 300
5 Merrick BANK Attn: Bankruptcy Dept. Po Box 5000 Draper UT 84020 Acct #: XXXXX2730		Н	Dates: 2008 Reason: Credit Card or Credit Use				\$ 1,777
6 Peoples GAS C/O Harris & Harris LTD 600 W Jackson Blvd Ste 4 Chicago IL 60661 Acct #: 12122052		w	Dates: 2008 Reason: Debt Owed				\$ 188

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In re

Record # 359560

Winford Delano Lucas and Teresa Lucas / Debtors

SCHEDULE F - CREDITORS	8 H	OL	DING UNSECURED NON-PR	IOI	RIT	ΓΥ	CLA	IMS
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed		ount of laim
27 Sprint PCS C/O Cavalry Portfolio SERV 7 Skyline Dr Ste 3 Hawthorne NY 10532 Acct #: 4251089		Н	Dates: 2005 Reason: Debt Owed				\$	689
28 Sprint PCS C/O Cavalry Portfolio SERV 7 Skyline Dr Ste 3 Hawthorne NY 10532 Acct #: 4450248		W	Dates: 2005 Reason: Debt Owed				\$	320
29 Target National Bank Bankruptcy Dept. PO Box 59317 Minneapolis MN 55459 Acct #: 2730		W	Dates: 2007 Reason: Credit Card or Credit Use				\$	300
30 THD/CBSD Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls SD 57117 Acct #: XXXXX2730		Н	Dates: 2008 Reason: Credit Card or Credit Use				\$	958
31 TNB - Target Attn: Bankruptcy Dept. Po Box 673 Minneapolis MN 55440 Acct #: XXXXX5122		W	Dates: 2008 Reason: Credit Card or Credit Use				\$	284
32 Wells Fargo Auto Finance/AFG National Bankruptcy Dept. PO Box 7648 Boise ID 83707 Acct #: 7008-0500-0001-3634-9642		Н	Dates: 2008 Reason: Deficiency, Repo'd/Surr'd Auto	•			\$	8,400
33 WF FIN BAN Attn: Bankruptcy Dept. 3201 N 4Th Ave Sioux Falls SD 57104 Acct #: XXXXX2730		J	Dates: 2008 Reason: Credit Card or Credit Use				\$	764

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In re

Winford Delano Lucas and Teresa Lucas / Debtors

Attorney for Debtor: David D Lugardo

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
34 Wffinance Attn: Bankruptcy Dept. 2501 Seaport Dr. Chester PA 19013 Acct #: 4448		J	Dates: 2005 Reason: Debt Owed				\$ 902

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

B6F (Official Form 6F) (12/07)

\$ 57,611.00

# Document Page 23 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

1 Benny Sanchez

Attn: Bankruptcy Dept. 3109 W. Diversey Chicago IL 60647

Contract Type: Lease on Property
Terms/Month: \$950.00/mo
Buy Out: None
Begin Date: 01/2008
Debtor Int: Lessee

Description: Apartment Lease

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In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

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### UNITED SPATESTBARKREFTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

Attorney for Debtor: David D Lugardo

#### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEE	BTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	Child, Child, Child,	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Service Technician	Unit Concierge
Name of Employer:	Thermal Care	Advocate Health and Hospitals
Years Employed	3	7
Employer Address:	7720 Lehigh Ave	836 W. Wellington
City, State, Zip	Niles, IL 60714	Chicago, IL 60657

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 4,166.66	\$ 2,111.29
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 4,166.66	\$ 2,111.29
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 737.14	\$ 259.81
b. Insurance	\$ 0.00	\$ 287.95
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 17.46
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 737.14	\$ 562.57
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 3,429.52	\$ 1,548.72
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
9. Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income (Specify:) & & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 3,429.52	\$ 1,548.72
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 4,97	78.24
if there is only one debtor repeat total reported on line 15.)	Papart also an Summany of Schodules an	

Report also on Summary of Schedules and, if applicable, on Statistical Summary

of Certain Liabilities and Related Data.) 17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: None

Page 1 of 1 **B6I (Official Form 6I) (12/07)** Record #: 359560

#### UNITED STATES BARKREPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors Bankruptcy Docket #:

Attorney for Debtor: David D Lugardo

SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(	S)
Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. P payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	rorate any
Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures lab	eled "Spouse".
. Rent or home mortgage payment (include lot rented for mobile home)	\$ 1,000.00
a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] No	. ,
2. Utilities: a. Electricity and Heating Fuel	\$ 280.00
b. Water, Sewer, Garbage	\$ -
c. Cellphone, Internet	\$ 160.00
d. Other Home Phone and Cable Television	\$ 195.00
B. Home Maintenance (repairs and upkeep)	\$ 25.00
Food	\$ 600.00
5. Clothing	\$ 100.00
i. Laundry and Dry Cleaning	\$ 60.00
7. Medical and Dental Expenses	\$ 180.00
Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train	\$ 414.00
. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.	\$ 90.00
0. Charitable Contributions	\$ -
Insurance (not deducted from wages or included in home mortgage payments)	\$ -
a. Homeowner's or Renter's	\$ -
b. Life	\$-
c. Health	·
d. Auto e. Other	\$ 265.00
	<b>\$</b> -
2. Taxes (not deducted from wages or included in home mortgage payments)	\$ -
(Specify) Federal or State Tax Repayments, Real Estate Taxes	Ψ
<ol> <li>Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)</li> <li>a. Auto</li> </ol>	\$227.00
b. Reaffirmation Payments	\$ -
c. Other <b>Diapers</b> \$250.00	\$250.00
4. Alimony, maintenance and support paid to others	\$600.00
5. Payments for support of additional dependents not living at your home	<b>\$</b> -
6. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ -
7. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:	
\$273.00 \$45.00 \$0.00 \$190.00 \$-	\$508.00
<b>8. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.	\$ 4,974.00
9. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing <i>None</i>	this documen
	\$ 4,978.24
10. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I	
	\$ 4,974.00
a. Average monthly income from Line 15 of Schedule I b. Average monthly expenses from Line 18 above c. Monthly net income (a. minus b.)	\$ 4,974.00 <b>\$(1.49)</b>

B6J (Official Form 6J) (12/07) Page 1 of 1 Record #: 359560

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2008: \$4,535/mo 2007: \$49,039 2006: \$49,893	Employment	
Spouse		
AMOUNT	SOURCE	-

# Document Page 28 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

	STATEMENT OF FINA	ANCIAL AFFAIRS	
Spouse			
AMOUNT	SOURCE		
2008: \$2,506/mo 2007: \$20,378 2006: \$24,046	Employment		
State the amount of income rece	OM EMPLOYMENT OR OPERATION OF sived by the debtor other than from emploiding the commencement of this case. Gi	pyment, trade, profession, operation	
spouse separately. (Married deb	tors filing under chapter 12 or chapter 13 separated and a joint petition is not filed.)	must state income for each spous	
AMOUNT	SOURCE		
Spouse			
AMOUNT	SOURCE		
03. PAYMENTS TO CREDITOR	S:		
Complete a. or b. as appropriate	e, and c.		
	TOR(S) WITH PRIMARILY CONSUMER creditor made within 90 days immediatel	y proceeding the commencement of ess than \$600.00. Indicate with an	of this case if the aggregate
value of all property that constitut that were made to a creditor on an approved nonprofit budgeting	account of a domestic support obligation and creditor counseling agency. (Marrie ses whether or not a joint petition is filed.	ed debtors filing under chapter 12 o	ent schedule under a plan by r chapter 13 must include
value of all property that constitut that were made to a creditor on an approved nonprofit budgeting	account of a domestic support obligation and creditor counseling agency. (Marrie	ed debtors filing under chapter 12 o	ent schedule under a plan by r chapter 13 must include

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and AddressDates ofAmount Paid or Value ofAmountof CreditorPayment/TransfersTransfersStill Owing

NONE

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of CreditorDatesAmount Paid or Value ofAmount& Relationship to Debtorof PaymentsTransfersStill Owing

NONE

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF NATURE COURT STATUS
SUIT AND OF OF AGENCY OF
CASE NUMBER PROCEEDING AND LOCATION DISPOSITION

NONE

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person Date Description for Whose Benefit Property of and Value was Seized Seizure of Property

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller Date of Repossession, Foreclosure Sale, Transfer or Return

Description and Value of Property

9/11/2008

2003 Suzuki Grand Vitara for \$4,500

Wells Fargo Auto Finance Asset Recovery Group 1460 Northwest Vivion Road Eastbrook Park Kansas City, MO 64118

NONE

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee Date of Assignment Terms of Assignment or Settlement

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian

Name & Location of Court Case Title & Number Date of Order Description and Value of Property

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person or Organization

Relationship to Debtor, If Any Date of Gift

Description and Value of Gift Case 08-33223 Doc 1 Filed 12/04/08 Entered 12/04/08 15:48:35 Desc Main Document Page 31 of 44

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars

Date of Loss

#### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or Description and Value of Property

Payment/Value:

\$2,500.00

Law Offices of Peter Francis Geraci 55 E. Monroe Street #3400 Chicago, IL60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or description and Value of Property

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227 2008 \$100.00

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of . Describe Property
Transferee, Relationship . Transferred and
to Debtor Date Value Received



10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of<br/>Trust or<br/>other DeviceDate(s)<br/>of<br/>Transfer(s)Amount and Date<br/>of Sale or<br/>Closing

NONE

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Type of Account, Last Four Digits Amount and
Address of of Account Number, and Amount of Date of Sale or
Institution Final Balance Closing

NONE

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository

Names & Addresses of Those With or Other Depository

Names & Addresses of Those With Description of Contents

Surrender, if Any

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

STATEMENT OF FINANCIAL AFFAIRS			
13. SETOFFS:			
of this case. (Married debtors filin	itor, including a bank, against a debt or ng under chapter 12 or chapter 13 mus the spouses are separated and a joint	t include information concerning e	, .
Name and Address	Date	Amount	
of Creditor	of Setoff	of Setoff	
14. LIST ALL PROPERTY HELD List all property owned by anothe Name and Address of Owner	PERSON:  Der person that the debtor holds or control  Description and  Value of Property	bls.  Location of Property	
List all property owned by another  Name and Address of Owner  15. PRIOR ADDRESS OF DEB1  If debtor has moved within three occupied during that period and	er person that the debtor holds or contro Description and Value of Property	Location of Property	•
List all property owned by another  Name and Address of Owner  15. PRIOR ADDRESS OF DEBT  If debtor has moved within three	Description and Value of Property  TOR(S):	Location of Property	•

NONE

16. SPOUSES and FORMER SPOUSES:

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

FROM 9/2007 To 2/2008

FROM 8/2006 To 8/2007

Same

Same

Name	

2222 N Major Ave Chicago IL 60639-2949

2451 N Saint Louis Ave Chicago IL 60647-2405 Case 08-33223 Doc 1 Filed 12/04/08 Entered 12/04/08 15:48:35 Desc Main Document Page 34 of 44

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

#### 17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

NONE

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

NONE

17c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

Name and Address of Docket Status of Governmental Unit Number Disposition

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

Name & Last Four Digits of

#### STATEMENT OF FINANCIAL AFFAIRS

NONE	
Х	

18 NATURE, LOCATION AND NAME OF BUSINESS

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six (6) years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six (6) years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

Mature

Reginning

Soc. Sec. No./Complete EIN or Other TaxPayer I.D. No.	Address	of Business	and Ending Dates
b. Identify any business listed in subc	division a., above, that is "single	asset real estate" as defined in 11 U	SC 101.
Name	Address		
The following questions are to be co has been, within six years immediatel	. , ,		•
executive, or owner of more than 5 per partnership, a sole proprietor, or self-	0 . ,		•

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. BOOKS, RECORDS AND FINANCIAL STATEMENTS:

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name	Dates Services
and Address	Rendered

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In re

Winford Delano Lucas and Teresa Lucas, Debtors

	STATEMENT OF FIN	ANCIAL AFFAIRS	
	, , ,	eceding the filing of this bankruptcy case have a	udited the books
account and records, or p	prepared a financial statement of the debtor.		
		Dates Services	
Name	Address	Rendered	
	duals who at the time of the commencement of books of account and records are not available	f this case were in possession of the books of acle, explain.	count and record
Name	Address		
issued by the debtor with Name and Address	in two (2) years immediately preceding the cor Date Issued	nmencement of this case.	
20. INVENTORIES  List the dates of the last the dollar amount and ba		e of the person who supervised the taking of eac	h inventory, and
Date	Inventory	Dollar Amount of Inventory	
of	inventory	(specify cost, market of other	
Inventory	Supervisor	basis)	
b. List the name and add	ress of the person having possession of the re	cords of each of the inventories reported in a., ab	ove.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
21. CURRENT PARTNE	RS, OFFICERS, DIRECTORS AND SHAREH	OLDERS:	
a. If the debtor is a partne	ership, list nature and percentage of interest of	each member of the partnership.	
Name	Nature	Percentage of	
and Address	of Interest	Interest	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

3	STATEMENT OF F	FINANCIAL AFFAIRS	
21. CURRENT PARTNERS, OFFI	CERS, DIRECTORS AND SHA	REHOLDERS:	
a. If the debtor is a partnership, list	nature and percentage of intere	st of each member of the partnership.	
Name	Nature	Percentage of	
and Address	of Interest	Interest	
21b. If the debtor is a corporation, li controls, or holds 5% or more of the		corporation; and each stockholder who directly e corporation.	or indirectly owns,
Name		Nature and Percentage of	
and Address	Title	Stock Ownership	
22. FORMER PARTNERS, OFFIC If the debtor is a partnership, list the		EHOLDERS: nership interest of each member of the partners	ship.
			ship.
If the debtor is a partnership, list the . Name  22b. If the debtor is a corporation, list	e nature and percentage of part . Address ist all officers, or directors whos	nership interest of each member of the partners  Date of	
If the debtor is a partnership, list the . Name  22b. If the debtor is a corporation, limmediately preceding the commer	e nature and percentage of part . Address ist all officers, or directors whos	Date of Withdrawal  e relationship with the corporation terminated w	
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, list immediately preceding the commer Name and Address  23. WITHDRAWALS FROM A PAR	Address  Address  ist all officers, or directors whose ement of this case.  Title  ETNERSHIP OR DISTRIBUTION poration, list all withdrawals or design and the content of th	Date of Withdrawal e relationship with the corporation terminated w  Date of Termination	ithin one (1) year
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, limmediately preceding the commer Name and Address  23. WITHDRAWALS FROM A PAR If the debtor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form, bonuses, loans, stock redemptor is a partnership or corp form.	Address  Address  ist all officers, or directors whose ement of this case.  Title  ETNERSHIP OR DISTRIBUTION poration, list all withdrawals or design and the content of th	Date of Withdrawal  e relationship with the corporation terminated w  Date of Termination  BY A COPORATION:	ithin one (1) year

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

24. TAX CONSOLIDATION GROUP:

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six (6) years immediately preceding the commencement of the case.

Name of Parent Corporation Taxpayer Identification Number (EIN)

NONE

25. PENSION FUNDS:

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of Pension Fund TaxPayer Identification Number (EIN)

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 11/18/2008 /s/ Winford Delano Lucas

Winford Delano Lucas

X Date & Sign

Dated: 11/18/2008 /s/ Teresa Lucas

Teresa Lucas

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### Document UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas / Debtors

Attorney for Debtor: David D Lugardo

#### STATEMENT OF INTENTION

- Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

**Description of Property** 

**Creditor's Name** 

Intention

#### PROPERTY TO BE RETAINED

Wells Fargo - 1999 Chevy Astro Minivan 125,000 miles

Wells Fargo Bankruptcy Department PO Box 29704 Phoenix AZ 85038

Reaffirm 524 (c)

\*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

\*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

#### I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

/s/ Winford Delano Lucas Dated: 11/18/2008

Winford Delano Lucas

X Date & Sign

X Date & Sign

/s/ Teresa Lucas 11/18/2008 Dated:

**Teresa Lucas** 

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

			AMOUNTS SCHEDULED		
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$-	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$12,499	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$1,000	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$550	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$57,611	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,973
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,974
TOTALS			<b>\$ 12,499</b> TOTAL ASSETS	\$ 59,161 TOTAL LIABILITIES	

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

Attorney for Debtor: David D Lugardo

#### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159
Summarize the following types of liabilities, as reported in the Schedules, and total them

Amount
\$ 550.00
\$ 0
\$ 0
\$ 0
\$ 0
\$ 0
\$ 550

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 4,972.51
Average Expenses (from Schedule J, Line 18)	\$ 4,974.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 7,411.23

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 30.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 550.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 57,611.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 57,641.00

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas and Teresa Lucas, Debtors

Bankruptcy Docket #:

Attorney for Debtor: David D Lugardo

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	11/18/2008	/s/ Winford Delano Lucas	X Date & Sign	
		Winford Delano Lucas		
Dated:	11/18/2008	/s/ Teresa Lucas	X Date & Sign	
		Teresa Lucas		

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

# Document Page 43 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Winford Delano Lucas, and Teresa Lucas, Debtors

Attorney for Debtor: David D Lugardo

#### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 11/18/2008 /s/ Winford Delano Lucas

Winford Delano Lucas

X Date & Sign

Dated: 11/18/2008

PFG Record #

/s/ Teresa Lucas

Teresa Lucas

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

Winford Delano Lucas and Teresa Lucas, Debtors

In re

#### **NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Winford Delano Lucas Sign & Date Dated: 11/18/2008 Here Winford Delano Lucas /s/ Teresa Lucas 11/18/2008 Sign & Date Dated: Teresa Lucas Here /s/ David D Lugardo 12/03/2008 Dated: Attorney: David D Lugardo Bar No: 6256311

PFG Record # 359560